

ORDER:
The motion is **GRANTED**.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

Alistair E. Newbern
Alistair E. Newbern
U.S. Magistrate Judge

CYNTHIA GEORGE,)
v.)
Plaintiff,)
KIRKWOOD PLACE, LLC; RFM) Case No. 3:23-cv-01218
DEVELOPMENT COMPANY; W.R.) Chief Judge Waverly D. Crenshaw, Jr.
NEWMAN & ASSOCIATES, INC.; AND) Magistrate Judge Alistair Newbern
HZ KIRKWOOD DST,) JURY DEMAND
Defendants,)
and)
KIRKWOOD PLACE, LLC,)
Third-Party Plaintiff,)
v.)
BERNARD L. WEINSTEIN d/b/a)
BERNARD L. WEINSTEIN &)
ASSOCIATES; BERNARD L.)
WEINSTEIN & ASSOCIATES, LLC; DBS)
& ASSOCIATES ENGINEERING, INC.;)
and TTL, INC.,)
Third-Party Defendants.)

JOINT MOTION TO EXTEND MOTION RESPONSE DEADLINES

The parties respectfully move the Court for an Order extending the deadlines to respond to pending motions in this case filed by Defendant HZ Kirkwood DST (“HZ”), as set forth below. In further support thereof, the parties state as follows:

1. All of the parties participated in a mediation of this matter on November 13, 2024.

During the mediation, substantial progress was made towards settlement, but the parties were unable to completely resolve all issues in dispute before conclusion of the mediation.

2. Following continued discussions, Plaintiff Cynthia George (“Plaintiff”), Defendants Kirkwood Place, LLC, RFM Development Company and W.R. Newman & Associates, Inc. (collectively, “Defendants”), and Third-Party Defendants Bernard L. Weinstein, Bernard L. Weinstein Associates, LLC, DBS & Associates Engineering, Inc. and TTL, Inc. (collectively, “Third-Party Defendants”), filed a Joint Notice of Settlement on January 30, 2025 (Doc. # 82).

3. On the same day, HZ filed a Notice of Objection to Settlement (Doc. # 83), followed by a Motion for Enlargement of its time to file cross-claims against Defendants and Third-Party Defendants (Doc. # 84), and an Alternative Motion for Leave to File Cross-Claims (Doc. # 86)¹.

4. Since that time, and following further discussion, the parties have reason to believe they have reached a global settlement of this matter among all parties, including HZ.

5. Therefore, the parties request that the deadline for Plaintiff, Defendants and Third-Party Defendants to respond to HZ’s Motion for Enlargement and Alternative Motion for Leave to File Cross-Claims be extended to February 28, 2025, while the parties work to finalize their pending settlement and file the appropriate documentation with the Court.

For the foregoing reasons, the parties jointly request that this Court enter an Order extending the deadlines to respond to the foregoing motions to February 28, 2025.

Dated: February 13, 2025

¹ This filing superseded HZ’s previously filed Motion for Leave to File Cross-Claims (Doc. # 85).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on February 13, 2025, a copy of the foregoing was electronically filed via CM/ECF, which will provide electronic service to the following:

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